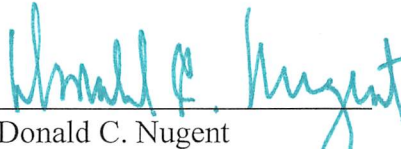


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,)	Case No. 1:19 CR 12
)	
)	
Plaintiff,)	JUDGE DONALD C. NUGENT
-vs-)	
)	<u>MEMORANDUM OPINION</u>
REGINALD FERGUSON,)	<u>AND ORDER</u>
)	
Defendant.)	

This case is before the Court on Defendant, Reginald Ferguson's Motion to Amend. (ECF# 117). Mr. Ferguson filed a previous § 2255 motion to vacate, which was denied. (ECF #94, 111, 112). Both this Court and the Sixth Circuit declined to issue a certificate of appealability. (ECF #112, 115). The current Motion to Amend seeks to have the Court consider an additional argument for post-conviction relief that he failed to include in his original §2255 motion. However, the motion he seeks to amend has already been decided and his appeals have been exhausted. Any new arguments would be have to be raised as a second or successive §2255 motion, and would require pre-certification by the Sixth Circuit. This Court may not consider a second or successive §2255 motion that has not been certified by the Court of Appeals. The Motion to Amend is, therefore, DENIED. (ECF #117). IT IS SO ORDERED.


Donald C. Nugent
United States District Judge

Date: June 23, 2023